

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Wednesday, July 5, 1978 at 7:30 P.M.

Present: Allen M. Smith, Supervisor  
George G. Young, Councilman  
Francis E. Menendez, Councilman  
John Lombardi, Councilman  
Antone J. Regula, Councilman

Also present: David P. Fishbein, Town Attorney  
Absent: Alex E. Horton, Supt. of Highways

Supervisor Smith called the meeting to order at 7:30 P.M., and the Pledge of Allegiance was recited.

Supervisor Smith: "If we were in finer voice, we might get to sing this evening, but due to the small turn out, maybe we'll keep it rather simple. Mr. Young is to be congratulated. It's his birthday today.

We have the various heads of department available, should the occasions arise.

#### BILLS

Bills were submitted on Abstract dated July 5, 1978 as follows:

General Town	\$30,769.29
General Town, 1977 Encumbered	\$ 50.00
Special Districts	\$11,629.54
Community Development	\$ 624.76
Capital Projects	\$13,805.03
Highway Item #3	\$ 1,394.79
Highway Item #4	\$ 987.27

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That subject to complete audit, the following bills be approved for payment.

General Town	\$30,769.29
General Town, 1977 Encumbered	\$ 50.00
Special Districts	\$11,629.54
Community Development	\$ 624.76
Capital Projects	\$13,805.03
Highway Item #3	\$ 1,394.79
Highway Item #4	\$ 987.27

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

REPORTS

Conservation Advisory Council - minutes of June 6, 1978 meeting. Filed.

Police Department - for the month of June, 1978. Filed.

OPEN BID REPORT - MECHANICAL CONSTRUCTION CONTRACT -  
IMPROVEMENT OF RIVERHEAD TOWN HALL  
FOR ACCOUNTING AND COMPUTER DEPART-  
MENTS

After being duly advertised the following bids on the Mechanical Construction Contract for the improvement of Riverhead Town Hall for Accounting and Computer Department were opened by the Town Clerk on Monday, July 3, 1978 at 11:00 A.M.

MORCHEL HEATING & AIR CONDITIONING, INC.  
Mattituck, New York 11952

TOTAL BID: \$14,750.00

Filed.

THERMAL COMFORT, INC.  
25A Carlough Road  
Bohemia, New York 11716

TOTAL BID: \$12,000.00

Filed.

DOWN EAST HEATING & AIR CONDITIONING, INC.  
50 Woodhull Avenue  
Riverhead, New York 1190.

TOTAL BID: \$11,940.00

Filed.

Supervisor Smith: "Later on we'll have a hearing with reference to waste disposal."

PETITION

Opposing proposed addition of any buildings, Kent Animal Shelter - 27 residents of River Road, Calverton. Filed. Referred to the Building Department for report.

COMMUNICATIONS

County Legislature - copy of resolution on distribution of mortgage taxes. Filed.

Knights of Columbus, 6/29/78 - requesting lights across from Meeting Hall, Wading River. Filed.

County Department of Planning, 6/19/78 - regarding amended Zoning Ordinance No. 26, Sec. 2-30-30, Item E-3, Town of Southampton, if no objections by 7/6/78, it will be assumed there are none. Filed.

Town of Southampton - notice of Zoning Ordinance No. 26, adoption at meeting on 6/13/78. Filed.

Diana's Travel -advising Board that six seats have been reserved for them on first Bus Tour. Filed.

Zoning Board, Town of Riverhead, 6/22/78 - asking for guide lines as to the contemplated date for the removal of violative signs. Filed.

Heller, Levin & Barr, 6/20/78 - regarding Trade Winds Village, Middle Road; advising of inquiries of government programs and the necessity of zoning amendments and modification of resolution authorizing project. Filed.

Town of Southold, 6/21/78 - Notice of Adoption of Local Law No. 4-1978; providing for the establishment & operation of Recreational Vehicle Parks in Southold. Filed.

APPLICATION

Special Permit - Carol & Mace Sowinski (extend Industrial B for repair shop, Edgar Avenue, Aquebogue). Filed. Referred to the Planning Board for recommendation and report.

UNFINISHED BUSINESS

Special Permit, Joseph Bartasi (restaurant at Rte. 58 & Roanoke Ave.).

Special Permit, Joseph Brush (Airport).

Special Permit, Leo Bekermus (Oil tank on West Main Street).

Supervisor Smith: "We have the pending applications of Mr. Bartasi, Mr. Brush and Mr. Bekermus. We do not have a resolution on any of the three.

We come to that portion of the agenda where we will recognize anyone wishing to be heard. Should someone be here to address the Town Board with reference to the public hearing which is scheduled for 8:00, I would ask you to please hold your comments until that time so that your comments can become part of the record in that public hearing. If there is anyone now who would like to address the Town Board on any matter that is not the subject of a public hearing, they will be recognized. Does anyone wish to address the Town Board?"

No one wished to be heard at this time.

RESOLUTIONS

#323 AUTHORIZES REJECTION AND READVERTISEMENT OF BIDS FOR RECEIPTING MACHINE

Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, The bid specifications for the purchase of a receipting machine were insufficiently specific as to what the functions it must be able to perform and computer compatibility it must have, and

WHEREAS, Acceptance of a bid without requiring these specificities could result in premature obsolescence thereby wasting taxpayers' money, it is hereby

RESOLVED, That all bids for a Receipting Machine be rejected and that the Town Clerk, be authorized to readvertise for bids for One (1) Receipting Machine with the revised specifications.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#324 APPOINTS THREE (3) PART TIME POLICE OFFICERS

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLUTIONS - continued

RESOLVED, That Blair C. Marelli, Willie Patterson, and Walter F. Bone be and they are hereby appointed part-time Police Officers to serve for a period not to exceed three (3) months, such appointments begin on June 26, 1978 at a salary of \$4.00 per hour, payable bi-weekly, to be paid by the Town of Riverhead.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#325 AUTHORIZES POLICE CHIEF TO ATTEND CHIEF'S CONFERENCE  
Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That Police Chief Roscoe Palmer be and he is hereby authorized to attend the 78th Annual New York State Police Chief's Conference in Syracuse, New York, on July 30, 1978 to August 3, 1978, and that all related expenses be paid by the Town of Riverhead from the police budget.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#326 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING FOR TOWN CODE AMENDMENT

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, Residents of Jamesport and South Jamesport have submitted a Petition to the Town Board requesting that parking be prohibited on certain streets near the South Jamesport beach, and

WHEREAS, This matter has been investigated by the Riverhead Town Police and Town Attorney, and reviewed by the Town Board, it is hereby

RESOLVED, That the Town Clerk be and is hereby authorized to publish and post a Notice of Public Hearing, amending the Town Code, by adding a new section, §101-18. Parking prohibited, seasonal.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#327 AUTHORIZES OVERTIME COMPENSATION - SANITATION DEPARTMENT  
Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED. That the following employees of the Sanitation Department be compensated at time and one-half for overtime worked as listed below:

RESOLUTIONS - continued

Frank Columbus					
5/15/78	10½ hrs.	@	\$ 9.30	\$ 97.65	Emergency repairs 275B
Edward Gadzinski					
6/08/78	2½ hrs.	@	\$10.06	\$ 25.15	Ted Krukoski sick
6/09/78	2½ hrs.	@	\$10.06	\$ 25.15	Ted Krukoski sick
6/10/78	10½ hrs.	@	\$10.06	\$105.63	Ted Krukoski sick
6/16/78	2½ hrs.	@	\$10.06	\$ 25.15	Ted Krukoski sick
				\$181.08	
			TOTAL	\$278.73	

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#328 WORKMEN'S COMPENSATION COVERAGE FOR ELECTED OR APPOINTED OFFICERS

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, Under Section 3, Subdivision 1, Group 19 of the Workmen's Compensation Law, a Municipal Corporation or other Political Subdivision may bring elected or appointed officers within coverage of the law through appropriate action of its Legislative Body,

THEREFORE, BE IT RESOLVED, That the Town Board does hereby include all elected and appointed officers (incumbent and successors) of the Town of Riverhead to be covered by the New York Workmen's Compensation Law.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Smith then stated: "For instance, one of our Conservation Advisory Council Members went into the field the other day to look at a swamp and fell in. We found out he wasn't covered. Now when he falls in, he'll be covered."

#329 AUTHORIZES TOWN CLERK TO PUBLISH RE-BID OF ELECTRICAL CONTRACT - TOWN HALL BASEMENT

Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

WHEREAS, Separate sealed bids were advertised by the Town of Riverhead for the improvement of Riverhead Town Hall for the Accounting and Computer Departments, which work consists

RESOLUTIONS - continued

of two contracts for the entire project, a mechanical Construction Contract and an Electrical Construction Contract, and

WHEREAS, No bids were received for the Electrical Construction Contract, it is hereby

RESOLVED, That the Town Clerk be and is hereby authorized to republish the necessary notice for the competitive bidding of the Electrical Construction Contract for the improvement of Riverhead Town Hall Accounting and Computer Departments.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#330 AUTHORIZES TOWN CLERK TO PUBLISH NOTICE TO RESIDENTS REGARDING CLAMMING

Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, The New York State Department of Environmental Conservation has determined that certain areas located in Flanders Bay and the Peconic River meet criteria established for the program pursuant to Part 47 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York, and

WHEREAS, The Trustees of the Town of Southampton and this Town Board have reached an agreement that residents of the Town of Riverhead will not be challenged upon identification as Riverhead residents,

THEREFORE, BE IT RESOLVED, That the Town Clerk is hereby authorized to publish and post a notice to Residents of Riverhead that the required certification of residency will be issued by the Town Clerk of the Town of Riverhead upon such proof.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#331 AUTHORIZES TOWN CLERK TO PUBLISH NOTICE OF PUBLIC HEARING REGARDING SPECIAL PERMIT APPLICATION OF DR.'S WITSCHI & HASTING

Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

RESOLVED, That the Town Clerk be, and she hereby is, authorized to publish and post the following notice of Public Hearing, to be held on July 18th, 1978 at 8:00 P.M.

PUBLIC NOTICE

PUBLISH HEARING TO AMEND THE ZONING MAP OF THE TOWN OF RIVERHEAD TO PERMIT PROFESSIONAL BUILDINGS ALONG THE SOUTH SIDE OF ROUTE 25 BETWEEN COUNTY ROAD 105 AND SHADE TREE LANE.

RESOLUTIONS - continued

PLEASE TAKE NOTICE. That pursuant to a petition of THOMAS H. WITSCHI and RICHARD HASTINGS and pursuant to a motion of the Riverhead Town Board a Public Hearing will be held before the Riverhead Town Board on the 18th day of July, 1978 at 8:00 o'clock p.m. at the Town Hall, 200 Howell Avenue, Riverhead, New York to hear all those persons interested in favor or against a proposal to permit the erection and maintenance of Professional Buildings along the South side of N.Y.S. Route 25 from County Road 105 to Shade Tree Lane in the hamlet of Aquebogue, Riverhead, N.Y. Said proposal would not change the present use designation of the described area from "Agricultural A" but would additionally designate said area as "Business PB" such that the uses listed in the "Business PB" district by Special Permit of the Town Board would be specially permitted in addition to those specified in the "Agricultural A" district. The area under consideration is bounded on the west by the Easterly Side of County Road 105, on the north by the Southerly Side of Route 25, on the east by the Westerly Side of Shade Tree Lane and on the south by an imaginary line parallel to the Southerly Side of Route 25 and set back from the same 500 feet being the same imaginary line separating the "Agricultural A" District from the "Residence C" District at this location, as set forth on the sketch filed in the Office of the Town Clerk.

PLEASE TAKE FURTHER NOTICE, That all persons interested in the above described proposal should appear at the above stated time and place, and they shall be heard.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#332      AWARDS MECHANICAL CONSTRUCTION CONTRACT FOR IMPROVEMENT  
OF RIVERHEAD TOWN HALL FOR ACCOUNTING AND COMPUTER DEPART-  
MENTS

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, The Town Board of the Town of Riverhead has advertised for bids for the Improvement of Town Hall for the Accounting and Computer Departments which includes a Mechanical Construction Contract, and

WHEREAS, The Town Clerk has publicly opened all sealed bids with regard to said Mechanical Construction Contract, which are as follows:

- |   |             |
|---|-------------|
| 1. Morchel Heating & Air Conditioning, Inc. |             |
| TOTAL BID                                   | \$14,750.00 |
| 2. Thermal Comfort, Inc.                    |             |
| TOTAL BID                                   | \$12,000.00 |

RESOLUTIONS - continued

3. Down East Heating & Air Conditioning, Inc.  
TOTAL BID \$11,940.00

it is hereby

RESOLVED, That the Town Board does hereby award the Mechanical Construction Contract for the Improvement of Town Hall for the Accounting and Computer Departments to the lowest responsible bidder, Down East Heating & Air Conditioning, Inc., 50 Woodhull Avenue, Riverhead, New York 11901 for the Total Bid of \$11,940.00, and be it

FURTHER RESOLVED, That the acceptance of said bid is conditioned upon compliance with all of the terms, conditions, and specifications, etc., filed in the Town Clerk's and Building Department's Offices, including those contained in the Advertisement for Bids, the bid documents, the contracts, addendums, General and Supplemental General Conditions, Bid Conditions, Contractor's Responsibilities and such other and further conditions as this Town Board may impose during the course of construction, and be it

FURTHER RESOLVED, That the Supervisor be and is hereby authorized to execute said contract with said bidder, and be it

FURTHER RESOLVED, That the Town Clerk be and is hereby authorized to notify the successful bidder accordingly.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#333 AUTHORIZES TOWN CLERK, ET AL., TO PUBLISH FOR BIDDING FOR UNDERGROUNDING OF UTILITIES ON MAIN STREET

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That the Town Clerk, in conjunction with the Community Development Director and the Town Attorney, be, and she hereby is, authorized to publish and post a notice to bidders for the purpose of undergrounding utility services in the Main Street area.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#334 RETAINS A.L. FRIEDLAND AND A. TOTORA TO PREPARE ELECTRICAL AND MECHANICAL DRAWINGS FOR THE TOWN HALL

Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

RESOLVED, That Alan L. Friedland and Antonia Totora be retained to prepare certain drawings and documents for electrical and mechanical work to be performed in the Town

RESOLUTIONS - continued

Hall, at a cost of One thousand five hundred sixty and 35/100 (\$1,560.35) Dollars, and Seven hundred fifty and 00/100 (\$750.00) Dollars, respectively.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#335 AUTHORIZES USE OF TOWN SIDEWALKS FOR ANNUAL RIVERHEAD SALE DAYS (JULY 13, 14, and 15, 1978)

Councilman Lombardi offered the following resolution which was seconded by Councilman Regula,

RESOLVED, That the Town Board does hereby grant permission for the use of Town sidewalks for the annual Riverhead Sale Days, to be held on July 13, 14, and 15, 1978.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes,

The resolution was thereupon declared duly adopted.

Supervisor Smith recessed the meeting for six minutes after which the meeting resumed.

Supervisor Smith recessed the meeting to hold a public hearing.

PUBLIC HEARING - 8:00 P.M.

Town Clerk submitted affidavits of publishing and posting for a public hearing to be held on July 5, 1978 at 8:00 P.M. to hear all interested persons wanting to be heard with regard to the proposed amendment of Riverhead Code Chapter 103, Waste Disposal, by amending section 103-3.

The affidavits were ordered to be placed on file.

COMMUNICATION

Memo from Town Attorney advising that the Sanitary Subcommittee met on June 6, 1978, and that the definition of "license" as defined therein, be amended, was recommended. Also that the Chapter be strictly enforced. Filed.

Supervisor Smith: "This is a one word change to the ordinance which removes some ambiguity about whether or not all persons whether they dump at the Town Dump or not, who are collecting garbage in the Town of Riverhead, must obtain a license to do so. Is there anyone in the room who wishes

PUBLIC HEARING - continued  
to address the Town Board with reference to this one word  
amendment to our Waste Disposal Ordinance?"

No one wishing to be heard and no further com-  
munications having been received thereto, Supervisor Smith  
declared the hearing closed at 8:02 P.M.

Supervisor Smith: "Is there anyone who would like  
to take advantage of an additional opportunity to be heard?"

No one wished to be heard at this time.

There being no further business on motion and  
vote, the meeting adjourned.

IJP/vlv

*Irene J. Pendzick*  
Irene J. Pendzick, Town Clerk